

## REMARKS/ARGUMENTS

### Status Of The Claims

This is an Amendment and Reply to the Office Action mailed June 16, 2008, in which the following rejections were set forth: Claims 1, 2, 4-11, and 36-38 were rejected under 35 U.S.C. § 102(b) as being anticipated by U. S. Patent No. 2,472,293 issued to Groven ("*Groven*"); Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Groven* in view of U.S. Patent No. 4,769,925 issued to Matsubara ("*Matsubara*"); Claims 12, 13, and 37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Groven*; Claims 14-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Groven* in view of U.S. Patent No. 4,416,068 issued to Nilsson ("*Nilsson*"); Claims 18-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Groven* in view of U.S. Patent No. 2,841,684 issued to Miskella ("*Miskella*"); Claims 19-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Groven* in view of U.S. Patent No. 4,581,424 issued to Kordomenos et al ("*Kordomenos*"); Claims 26-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Groven* in view of U.S. Patent No. 4,771,728 issued to Bergman ("*Bergman*"); and, Claims 34-35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Groven* in view of U.S. Patent No. 6,327,030 issued to Ifju et al. ("*Ifju*").

By this response, Claims 1, 28, and 29 have been amended; Claims 26 and 27 have been canceled; and, Claim 39 has been added. As such, Claims 1-25 and 28-39 are pending in this application.

### § 102(b) Claim Rejections

The principal prior art reference being relied upon to reject the claims is *Groven*—which is directed to a paint-baking apparatus that utilizes radiant and convection heating to dry and cure paint. Upon closer review and analysis, *Groven*'s drying and curing is accomplished by a mixture of infrared radiation and hot air. The hot air is utilized to dry those surfaces that are not in the direct path of the infrared radiation. See *Groven*, col. 5, lines 26ff. In addition, the oven can be adjusted to the size or shape of the objects to be dried, which is accomplished by adjusting the number of lamp units and/or by adjusting the position of the lamp units. See *Groven*, col. 5, lines 57ff.

In contrast to *Groven*, Applicant's invention stems from the idea that each surface region of the object to be coated shall receive at least a minimal quantity and intensity of electromagnetic radiation, which can be predetermined according to the requirements for curing; and which further leads to a solution different than that of *Groven*'s. This approach is fundamentally different from that of *Groven*, wherein adjustments in *Groven* are in fact much more time consuming. That is, *Groven* fails to disclose Applicant's claimed aspect in which "the length of (which) supports can be changed independently of each other with the aid of a motor." As is clearly indicated in *Groven*, there is no motor to changes the supports, neither independently nor together. See *Groven*, col. 5, line 8; reference no. 17 is an exhaust vent cover (emphasis added). In short, because *Groven* presumably did not appreciate that there may be a threshold value of quantity and/or intensity of radiation to acquire proper curing, *Groven* expectedly fails to disclose corresponding structure relating thereto. As such, *Groven* fails to disclose each and every element of Applicant's claimed invention—Claim 1—as originally filed.

Notwithstanding that *Groven* fails to disclose each as every aspect of Applicant's originally filed Claim 1, Applicant has amended Claim 1 to further distinguish over *Groven*. That is, Claim 1 has been amended to include the elements of Claims 26 and 27, which more particularly point out Applicant's concept that each region of the object's surface to be coated shall receive at least a minimal quantity and intensity of electromagnetic radiation. Neither these additional elements, nor Applicant's fundamental approach to drying and curing coated objects, are taught or made obvious by *Groven*.

Consequently, Applicant asserts that *Groven* fails to disclose, teach, or suggest each and every element of Applicant's Claim 1, as amended. As such, Applicant submits that amended Claim 1 is patentably distinct over the relied upon prior art and is thus in condition for allowance. Applicant therefore respectfully requests that the rejection of Claim 1 be removed and that amended Claim 1—as well as Claims 2-25 and 28-39, which ultimately depend there from—be allowed to issue.

#### § 103(a) Claim Rejections

As stated above, *Groven* fails to disclose Applicant's approach and corresponding claimed structure for drying and curing an object's coated surface. Moreover, there is no disclosure within *Groven* to teach or suggest its modification to include such claimed structure

and *Groven* therefore fails to teach or suggest each and every element of Applicant's claimed invention. Furthermore, Applicant asserts that the other relied upon prior art fails to compensate for the shortcomings of *Groven*. As such, Applicant's amended independent Claim 1—as well as every claim ultimately depending thereon—is not rendered obvious by *Groven* alone, or in any combination with any of the other cited prior art references. Thus, Applicant respectfully submits that all pending claims are allowable over the cited prior art and requests that the rejection of these claims be removed and the application allowed to issue.

#### New Claims

New Claim 39 depends directly on amended Claim 1 and further requires that the object to be coated be a vehicle body. As such, for at least the same reasons that Applicant asserts amended Claim 1 is now allowable, Applicant respectfully submits that Claim 39 is also in condition for allowance.

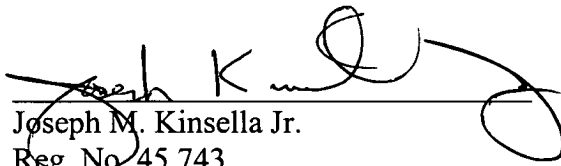


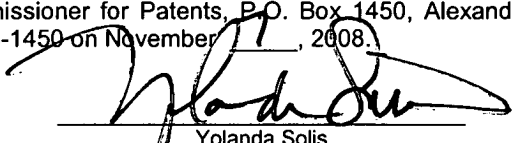
### CONCLUSION

In view of the above amendments and remarks, Applicant respectfully requests that all rejections be removed and all pending claims be passed to issue. If any additional fees are required with this communication, Applicant authorizes the Commissioner to deduct such fees from Deposit Account No. 50-0545. Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully solicited.

Respectfully Submitted,

Dated: November 7, 2008

  
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One of the Attorneys for the Applicants

<p align="center"><b>CERTIFICATE OF FIRST CLASS MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop - Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November <u>11</u>, 2008.</p> <p align="center"> Yolanda Solis</p>
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